

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shigeki NOMURA et al. **Confirmation No.: 6422**

Serial No : 10/540,564  
(National Stage of PCT/JP2004/001179) Group Art Unit: 1745

Filed : June 24, 2005 (I.A. Filed: February 5, 2004) Examiner: Phoebe D. RINER

For : PROTON CONDUCTING MEMBRANE, METHOD FOR  
PRODUCING THE SAME AND FUEL CELL USING THE SAME

**ELECTION**

Commissioner of Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

This is in response to the requirement for restriction under 35 U.S.C. § 121 mailed from the U.S. Patent and Trademark Office on September 5, 2008. Inasmuch as the one-month shortened statutory period for reply is set in the Office Action to expire on October 6, 2008 (October 5 being a Sunday), this response is being filed by the initial due date for response. However, if any extension of time is necessary, this is an express request for any necessary extension of time and authorization to charge any required extension of time fee or any other fees which may be required to preserve the pendency of the present application to Deposit Account No. 19-0089.